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12 *Attorneys for Plaintiff*
13 *Zap's Electrical, LLC*

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ZAP'S ELECTRICAL, LLC, a foreign
limited liability company,

Plaintiff,

vs.

MONARCH CONSTRUCTION, LLC, a
Nevada limited liability company,

Defendant.

Case No. 3:19-cv-00603-RCJ-CBC

STIPULATION AND ORDER TO
AMEND SCHEDULING ORDER
[ECF No. 38]

(Fourth Request)

Pursuant to Rule 16(b)(4) of the Federal Rules of Civil Procedure, LR IA 6-1, and LR 26-4, Plaintiff/Counter-defendant Zap's Electrical, LLC ("Zap's") and Defendant/Counterclaimant Monarch Construction, LLC ("Monarch," and collectively with Zap's the "Parties"), by and through their undersigned counsel of record, hereby stipulate to amend the Amended Scheduling Order entered on April 23, 2020 [ECF No. 38].

On April, 22, 2020, the Parties submitted a stipulated motion to amend the scheduling order to allow additional time for discovery in this matter. [ECF No. 37]. The Court granted the stipulated motion and entered an Amended Scheduling Order on April 23, 2020. [ECF No. 38]. The Amended Scheduling Order sets out the following discovery deadlines:

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1 **1. Discovery Cut-Off [LR 26-1(b)(1)]**

2 a. September 25, 2020

3 **2. Deadline for disclosures of experts [LR 26-1(b)(3)]**

4 a. Initial Expert Disclosures: July 24, 2020

5 b. Rebuttal Expert Disclosures: August 24, 2020

6 **3. Interim Status Report [LR 26-3]**

7 a. July 24, 2020

8 **4. Dispositive Motions [LR 26-1(b)(4)]**

9 a. October 25, 2020

10 **5. Joint Pre-Trial Order [LR 26-1(b)(5)]**

11 a. November 27, 2020

12 Since the Court's entry of the Amended Scheduling Order, the Parties have
13 engaged in written discovery and Monarch has served its initial expert disclosure.
14 Zap's is currently engaging a rebuttal expert to provide an opinion; however, issues
15 related to the ongoing health crisis has made it necessary to provide limited, additional
16 time for finalizing and serving Zap's rebuttal expert opinion. Based thereon, the
17 Parties have stipulated and agreed to request an extension to **only** the rebuttal expert
18 disclosure deadline as follows:

19 **1. Discovery Cut-Off [LR 26-1(b)(1)]**

20 a. September 25, 2020

21 **2. Deadline for disclosures of experts [LR 26-1(b)(3)]**

22 a. Initial Expert Disclosures: July 24, 2020

23 b. Rebuttal Expert Disclosures: September 14, 2020

24 **3. Interim Status Report [LR 26-3]**

25 a. July 24, 2020

26 **4. Dispositive Motions [LR 26-1(b)(4)]**

27 a. October 25, 2020

28 **5. Joint Pre-Trial Order [LR 26-1(b)(5)]**

1 a. November 27, 2020

2 The Parties submit this Stipulation and request an extension to the discovery
3 schedule for good causes and not for the purposes of delay.

4 Dated: August 25, 2020.

5 BALLARD SPAHR LLP

6 C. NICHOLAS PEREOS, LTD.

7 By: /s/ Joseph Sakai

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11 *Attorneys for Plaintiff Zap's Electrical,
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BY: /s/ Nicholas Pereos

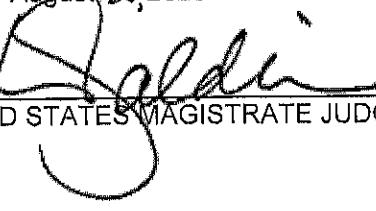
C. Nicholas Pereos, Esq.
Nevada Bar No. 13
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Reno, Nevada 89502

12 *Attorneys for Defendant Monarch
Construction, LLC*

13 NO further extensions of time will be granted
14 absent extraordinary circumstances. COVID
15 restrictions alone will no longer be a sufficient
16 basis for extensions of time.

17 IT IS SO ORDERED.

18 Dated: August 26, 2020

19 
20 UNITED STATES MAGISTRATE JUDGE

21 BALLARD SPAHR LLP
22 1980 FESTIVAL PLAZA DRIVE, SUITE 900
23 LAS VEGAS, NEVADA 89135
24 (702) 471-7080 FAX (702) 471-7070

1 **CERTIFICATE OF SERVICE**

2 Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that on this
3 day of August, 2020, a true and correct copy of the foregoing Stipulation and Order to
4 Amend Scheduling Order was filed via the Court's CM/ECF System and electronically
5 served by the Court on all parties in interest.

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9
10 /s/ M. Carlton
11 An Employee of Ballard Spahr LLP

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